

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**WILLIAM MOORE and
LARSON CEMENT STONE CO.,**

Plaintiffs,

vs.

BESSER COMPANY,

Defendant.

8:15CV298

ORDER

This matter comes before the court following a telephone conference with counsel for the parties. Donna S. Colley appeared on behalf of the plaintiff William Moore, Gregory W. Plank appeared on behalf of the plaintiff Larson Cement Stone Co., and Cory M. Curtis appeared on behalf of the defendant Besser Company. The parties represented to the court that Larson Cement Stone Co. sold the "Integrated Block Splitter Machine" at issue and it is located out of the country. As a result, the splitter machine has not been inspected or examined. Accordingly,

IT IS ORDERED:

1. **On or before January 25, 2016**, Larson Cement Stone Co. shall make a Fed. R. Civ. P. 30(b)(6) representative available for deposition for the parties to discover the condition, location, and circumstances of the sale of the Integrated Block Splitter Machine at issue.

2. The court will hold a telephone planning conference **on January 28, 2016, at 10:00 a.m.** for the purpose of reviewing the preparation of the case to date and the scheduling of the case to trial. **Counsel for the plaintiff William Moore shall initiate the call.**

Dated this 12th day of January, 2016.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge